IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO. 13262 of 2004

Between:

Kali Bhagavan Baba, S/o. Narasimha,
R/o. Saroor Nagar, Ranga Reddy District.

..... PETITIONER

AND

1 The District Collector, Medak, Medak District.
2 The Mandal Revenue Officer, Munipally Mandal, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus to direct the respondents not to interfere with the right of the petitioner to enjoy the land measuring Ac.2.00 situated in S.No.30 at Budhera Village, Munipally Revenue Mandal, Medak District by digging a tube well and also by raising a farm house in it.

Counsel for the Petitioner: Mr.P.Venugopala Rao, Advocate.

Counsel for the Respondents: Govt. Pleader for REVENUE.

The Court made the following:

Oral Order:

Heard the learned counsel for the petitioner and also learned Government Pleader for Revenue.

Rule Nisi.

Without going into the merits of the case, the writ petition can be disposed of permitting the petitioner to make an application with the 2nd respondent under the Andhra Pradesh Water, Land and Trees Act, 2002 seeking permission to dug a bore well in his land and on making such an application, the 2nd respondent shall consider the same and pass appropriate orders, if provided the patta granted in favour of the petitioner in Dis.No.C/914/89 dated 05-09-1989 is in existence and not cancelled, within a period of four weeks from the date of receipt of such application.

The writ petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

29-07-2004

Note: Issue CC in 2 days.

(bo)

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Medak, Medak District.
2 The Mandal Revenue Officer, Munipally Mandal, Medak District.

3. Two CCs to the Govt. Pleader for Revenue, High Court

Buildings, Hyderabad.(OUT)

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